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## Amendment and Response

Applicant: Shell S. Simpson et al.

Serial No.: 09/874,410

Filed: June 4, 2001

Docket No.: 10007651-1

Title: SYSTEM AND METHOD FOR PREPARING IMAGING DATA FOR PRINTING TO A REQUESTED WEB SERVICE

REMARKS

The following Remarks are made in response to the Non-Final Office Action mailed November 2, 2007, in which claims 1-9, 11-14, and 17-21 were rejected.

With this Amendment, claims 17 and 19-21 have been amended to clarify Applicant's invention.

Claims 1-9, 11-14, and 17-21 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

Claims 1-9 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adamske et al. US Patent No. 6,615,234 in view of Pineau US Publication No. 2002/0181010.

The earliest effective date of the Pineau US Publication No. 2002/0181010 is May 30, 2001 which is prior to the filing date of June 4, 2001 of the present patent application. Accompanying this Amendment and Response is a Declaration of Prior Invention under 37 C.F.R. 1.131 to establish conception of the subject matter of the present patent application in the United States prior to the earliest effective date of May 30, 2001 of the Pineau US Publication No. 2002/0181010 coupled with due diligence from prior to the earliest effective date of the Pineau publication up to the filing date of the present patent application (i.e., constructive reduction to practice). Applicant, therefore, respectfully requests consideration and entry of the Declaration of Prior Invention under 37 C.F.R. 1.131.

In view of the above, Applicant submits that the Pineau US Publication No. 2002/0181010 does not qualify as a reference under 35 U.S.C. 102(e) and, therefore, does not qualify as a reference under 35 U.S.C. 103(a). Applicant, therefore, respectfully requests that the rejection of claims 1-9 and 11-14 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1-9 and 11-14 be allowed.

**Amendment and Response**

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WEB SERVICE

Claims 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adamske et al. US Patent No. 6,615,234 in view of Stewart US Patent No. 6,714,964.

With this Amendment, independent claim 17 has been amended to clarify that the method includes "transferring the imaging data to an imaging data store of a personal imaging repository linked to the computer and associated with a particular user;" "creating an imaging composition having links to the imaging data stored in the imaging data store;" "saving the imaging composition in a composition store of the personal imaging repository linked to the computer and associated with the particular user;" and "directing the web browser to the requested web service for printing from the application."

With respect to the Adamske and Stewart references, Applicant submits that these references, individually or in combination, do not disclose a method as claimed in independent claim 17 including transferring imaging data to an imaging data store of a personal imaging repository linked to a computer and associated with a particular user; creating an imaging composition having links to the imaging data stored in the imaging data store; saving the imaging composition in a composition store of the personal imaging repository linked to the computer and associated with the particular user; and directing the web browser to the requested web service for printing from the application.

In view of the above, Applicant submits that independent claim 17, and the dependent claims depending therefrom, are each patentably distinct from the cited references and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 17-21 under 35 U.S.C. 103 be reconsidered and withdrawn, and that claims 17-21 be allowed.

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**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 1-9, 11-14, and 17-21 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Nathan R. Rieth at Telephone No. (208) 396-5287, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on this 4th day of February 2008.

By

Name: Scott A. Lund